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| <b>INVITATION TO BID</b><br><br>STATE OF LOUISIANA<br>DIVISION OF ADMINISTRATION<br>OFFICE OF STATE PURCHASING   |  |   |  | BIDS WILL BE PUBLICLY OPENED:<br><br><div style="font-size: 1.2em; font-weight: bold;">JUN 08, 2010      10:00 AM</div> |  |
| =====> <b>VENDOR NO. :</b><br><b>SOLICITATION :</b> 2240088<br><b>FILE NO. :</b> Q12091N<br><b>OPENING DATE :</b> 06/08/10<br><br><div style="border: 1px solid black; height: 80px; width: 100%; margin-top: 10px;"></div>  |  | <b>PURCHASING AGENCY NO. :</b> 107001<br><br><b>SEE NO. 8 BELOW. RETURN BID TO</b><br><div style="text-align: right; margin-right: 20px;">10:00 AM</div> <div style="display: flex; justify-content: space-between;"> <span>2240088</span> <span>06/08/10</span> <span>Q12091N</span> </div> <div style="margin-top: 10px;"> <b>OFFICE OF STATE PURCHASING</b><br/> <b>OFFICE OF STATE PURCHASING</b><br/> <b>POST OFFICE BOX 94095</b><br/> <b>BATON ROUGE, LA 70804-9095</b> </div> <div style="margin-top: 20px;"> <b>BUYER :</b> JANA BRAUD<br/> <b>BUYER PHONE :</b> (225) 342-8036<br/> <b>DATE ISSUED :</b> 05/25/10<br/> <b>REQ. AGENCY :</b> 326104 <span style="float: right;">FOLD HERE--&gt;</span><br/> <b>DHH-OFFICE OF PUBLIC HEALTH</b><br/> <b>AGENCY REQ. NO. :</b><br/> <b>ISIS REQ. NO. :</b> 1332877<br/> <b>VENDOR PHONE :</b><br/> <b>FISCAL YEAR :</b> 10<br/> <b>CLASS/SUBCLASS :</b> 11505<br/> <b>SCHEDULED BEGIN DATE :</b> 00/00/00<br/> <b>SCHEDULED END DATE :</b> 00/00/00<br/> <b>T-NUMBER :</b> </div> |  |   |  |
| <div style="font-size: 1.1em; font-weight: bold;">FILL IN VENDOR NUMBER (FEIN), NAME AND ADDRESS ABOVE, BEFORE SUBMITTING BID.</div>   |  |  |  |   |  |
| <i>SEAFOOD &amp; WATER TESTING '10<br/>FOR HYDROCARBON CONTAMINATION</i>   |  |  |  |   |  |
| TO BE COMPLETED BY VENDOR  |  |  |  |   |  |
| 1. _____ PLEASE REMOVE FROM THIS COMMODITY CODE.<br>2. _____ DELIVERY WILL BE MADE IN THIS NUMBER OF DAYS AFTER RECEIPT OF ORDER.<br>3. _____ % CASH DISCOUNT FOR PROMPT PAYMENT IF MADE WITHIN THIRTY (30) DAYS. CASH DISCOUNTS FOR LESS THAN 30 DAYS OR LESS THAN 1% WILL BE ACCEPTED, BUT WILL NOT BE CONSIDERED IN DETERMINING AWARDS. ON INDEFINITE QUANTITY TERM CONTRACTS, CASH DISCOUNTS WILL BE ACCEPTED AND TAKEN BUT WILL NOT BE CONSIDERED IN DETERMINING AWARDS.<br>4. _____ BID BOND ATTACHED, _____ CERTIFIED CHECK ATTACHED, _____ OTHER, IF REQUIRED.<br>5. _____ BID REFERENCE NUMBER. (THIS NUMBER WILL APPEAR ON RESULTING ORDER OR CONTRACT).   |  |  |  |   |  |
| INSTRUCTIONS TO BIDDERS  |  |  |  |   |  |
| 1. READ THE ENTIRE BID, INCLUDING ALL TERMS AND CONDITIONS AND SPECIFICATIONS.<br>2. ALL BID PRICES MUST BE TYPED OR WRITTEN IN INK. ANY CORRECTIONS, ERASURES OR OTHER FORMS OF ALTERATION TO UNIT PRICES SHOULD BE INITIALED BY THE BIDDER.<br>3. THIS BID IS TO BE MANUALLY SIGNED IN INK. <span style="float: right;">FOLD HERE--&gt;</span><br>4. BID PRICES SHALL INCLUDE DELIVERY OF ALL ITEMS F.O.B. DESTINATION OR AS OTHERWISE PROVIDED. BIDS CONTAINING "PAYMENT IN ADVANCE" OR "C.O.D" REQUIREMENTS MAY BE REJECTED. PAYMENT IS TO BE MADE WITHIN 30 DAYS AFTER RECEIPT OF PROPERLY EXECUTED INVOICE OR DELIVERY, WHICHEVER IS LATER.<br>5. AMOUNT OF BID BOND REQUIRED: _____ N/A _____ .<br>6. AMOUNT OF PERFORMANCE BOND, IF REQUIRED. _____ OR _____ 0% _____ OF BID.<br>7. DESIRED DELIVERY: _____ 007DAYS ARO<br>8. TO ASSURE CONSIDERATION OF YOUR BID, ALL BIDS AND ADDENDA SHOULD BE RETURNED IN AN ENVELOPE OR PACKAGE CLEARLY MARKED WITH THE BID OPENING DATE AND THE BID NUMBER, OR SUBMITTED IN THE SPECIAL ENVELOPE IF FURNISHED FOR THAT PURPOSE.<br>9. BIDS SUBMITTED ARE SUBJECT TO PROVISIONS OF THE LAWS OF THE STATE OF LOUISIANA INCLUDING BUT NOT LIMITED TO L.R.S. 39:1551-1736; PURCHASING RULES AND REGULATIONS; EXECUTIVE ORDERS; STANDARD TERMS AND CONDITIONS; SPECIAL CONDITIONS; AND SPECIFICATIONS LISTED IN THIS SOLICITATION.<br>10. IMPORTANT: BY SIGNING THE BID, THE BIDDER CERTIFIES COMPLIANCE WITH ALL INSTRUCTIONS TO BIDDERS, TERMS, CONDITIONS AND SPECIFICATIONS, AND FURTHER CERTIFIES THAT THIS BID IS MADE WITHOUT COLLUSION OR FRAUD. THIS BID IS TO BE MANUALLY SIGNED IN INK BY A PERSON AUTHORIZED TO BIND THE VENDOR (SEE NO.30). ALL BID INFORMATION SHALL BE MADE WITH INK OR TYPEWRITTEN. |  |  |  |   |  |
| <b>VENDOR PHONE NUMBER:</b><br><b>FAX NUMBER:</b>  |  | <b>TITLE</b>   |  | <b>DATE</b>   |  |
| <b>SIGNATURE OF AUTHORIZED BIDDER - SEE NO. 30, PAGE 3.</b><br><b>(MUST BE SIGNED)</b>   |  |  | <b>NAME OF BIDDER</b><br><b>(TYPED OR PRINTED)</b> |   |  |

| STANDARD TERMS & CONDITIONS   |  | INVITATION TO BID |           |
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| <p>11 ADDRESS ALL INQUIRIES AND CORRESPONDENCE TO THE BUYER AT THE PHONE AND ADDRESS SHOWN ABOVE.</p> <p>12. CONFERENCE:<br/>NA<br/>NA<br/>NA</p> <p>13. BID FORMS.<br/>ALL WRITTEN BIDS, UNLESS OTHERWISE PROVIDED FOR, MUST BE SUBMITTED ON, AND IN ACCORDANCE WITH, FORMS PROVIDED, PROPERLY SIGNED (SEE NO. 30). BIDS SUBMITTED IN THE FOLLOWING MANNER WILL NOT BE ACCEPTED:</p> <ul style="list-style-type: none"><li>A. BID CONTAINS NO SIGNATURE INDICATING INTENT TO BE BOUND;</li><li>B. BID FILLED OUT IN PENCIL; AND</li><li>C. BID NOT SUBMITTED ON THE STATE'S STANDARD FORMS.</li></ul> <p>BIDS MUST BE RECEIVED AT THE ADDRESS SPECIFIED IN THE SOLICITATION PRIOR TO BID OPENING TIME IN ORDER TO BE CONSIDERED. TELEGRAPHIC AND FAX ALTERATIONS TO BIDS RECEIVED BEFORE BID OPENING TIME WILL BE CONSIDERED PROVIDED FORMAL BID AND WRITTEN ALTERATION HAVE BEEN RECEIVED AND TIME-STAMPED BEFORE BID OPENING TIME. ENTIRE BID SHOULD BE RETURNED, EXCEPT ITEM PAGES NOT BID.</p> <p>14. STANDARDS OF QUALITY.<br/>ANY PRODUCT OR SERVICE BID SHALL CONFORM TO ALL APPLICABLE FEDERAL AND STATE LAWS AND REGULATIONS AND THE SPECIFICATIONS CONTAINED IN THE SOLICITATION. UNLESS OTHERWISE SPECIFIED IN THE SOLICITATION, ANY MANUFACTURER'S NAME, TRADE NAME, BRAND NAME, OR CATALOG NUMBER USED IN THE SPECIFICATION IS FOR THE PURPOSE OF DESCRIBING THE STANDARD OF QUALITY, PERFORMANCE, AND CHARACTERISTICS DESIRED AND IS NOT INTENDED TO LIMIT OR RESTRICT COMPETITION. BIDDER MUST SPECIFY THE BRAND AND MODEL NUMBER OF THE PRODUCT OFFERED IN HIS BID. BIDS NOT SPECIFYING BRAND AND MODEL NUMBER SHALL BE CONSIDERED AS OFFERING THE EXACT PRODUCTS SPECIFIED IN THE SOLICITATION.</p> <p>15. DESCRIPTIVE INFORMATION.<br/>BIDDERS PROPOSING AN EQUIVALENT BRAND OR MODEL SHOULD SUBMIT WITH THE BID INFORMATION (SUCH AS ILLUSTRATIONS, DESCRIPTIVE LITERATURE, TECHNICAL DATA) SUFFICIENT FOR STATE OF LOUISIANA TO EVALUATE QUALITY, SUITABILITY, AND COMPLIANCE WITH THE SPECIFICATIONS IN THE SOLICITATION. FAILURE TO SUBMIT DESCRIPTIVE INFORMATION MAY CAUSE BID TO BE REJECTED. ANY CHANGE MADE TO A MANUFACTURER'S PUBLISHED SPECIFICATIONS SUBMITTED FOR A PRODUCT SHALL BE VERIFIABLE BY THE MANUFACTURER. IF ITEM(S) BID DO NOT FULLY COMPLY WITH SPECIFICATIONS (INCLUDING BRAND AND/OR PRODUCT NUMBER), BIDDER MUST STATE IN WHAT RESPECT ITEM(S) DEVIATE. FAILURE TO NOTE EXCEPTIONS ON THE BID FORM WILL NOT RELIEVE THE SUCCESSFUL BIDDER(S) FROM SUPPLYING THE ACTUAL PRODUCTS REQUESTED.</p> <p>16. BID OPENING.<br/>BIDDERS MAY ATTEND THE BID OPENING, BUT NO INFORMATION OR OPINIONS CONCERNING THE ULTIMATE CONTRACT AWARD WILL BE GIVEN AT THE BID OPENING OR DURING THE EVALUATION PROCESS. BIDS MAY BE EXAMINED WITHIN 72 HOURS AFTER BID OPENING. INFORMATION PERTAINING TO COMPLETED FILES MAY BE SECURED BY VISITING THE STATE OF LOUISIANA DURING NORMAL WORKING HOURS. WRITTEN BID TABULATIONS WILL NOT BE FURNISHED.</p> <p>17. AWARDS.<br/>THE STATE OF LOUISIANA RESERVES THE RIGHT TO AWARD ITEMS SEPARATELY, GROUPED OR ON AN ALL-OR-NONE BASIS AND TO REJECT ANY OR ALL BIDS AND WAIVE ANY INFORMALITIES.</p> <p>18. PRICES .<br/>UNLESS OTHERWISE SPECIFIED BY THE STATE OF LOUISIANA IN THE SOLICITATION, BID PRICES MUST BE COMPLETE, INCLUDING TRANSPORTATION PREPAID BY BIDDER TO DESTINATION AND FIRM FOR ACCEPTANCE FOR A MINIMUM OF 30 DAYS. IF ACCEPTED, PRICES MUST BE FIRM FOR THE CONTRACTUAL PERIOD. BIDS OTHER THAN F.O.B. DESTINATION MAY BE REJECTED. PRICES SHOULD BE QUOTED IN THE UNIT (EACH, BOX, CASE, ETC.) AS SPECIFIED IN THE SOLICITATION.</p> <p>19. DELIVERIES.<br/>BIDS MAY BE REJECTED IF THE DELIVERY TIME INDICATED IS LONGER THAN THAT SPECIFIED IN THE SOLICITATION.</p> <p>20. TAXES.<br/>VENDOR IS RESPONSIBLE FOR INCLUDING ALL APPLICABLE TAXES IN THE BID PRICE. STATE AGENCIES ARE EXEMPT FROM ALL STATE AND LOCAL SALES AND USE TAXES.</p> |  |                   |           |

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| <p>21. NEW PRODUCTS.</p> <p>UNLESS SPECIFICALLY CALLED FOR IN THE SOLICITATION, ALL PRODUCTS FOR PURCHASE MUST BE NEW, NEVER PREVIOUSLY USED, AND THE CURRENT MODEL AND/OR PACKAGING. NO REMANUFACTURED, DEMONSTRATOR, USED OR IRREGULAR PRODUCT WILL BE CONSIDERED FOR PURCHASE UNLESS OTHERWISE SPECIFIED IN THE SOLICITATION. THE MANUFACTURER'S STANDARD WARRANTY WILL APPLY UNLESS OTHERWISE SPECIFIED IN THE SOLICITATION.</p> <p>22. CONTRACT RENEWALS.</p> <p>UPON AGREEMENT OF THE STATE OF LOUISIANA AGENCY AND THE CONTRACTOR, A TERM CONTRACT MAY BE EXTENDED FOR 2 ADDITIONAL 12-MONTH PERIODS AT THE SAME PRICES, TERMS AND CONDITIONS. IN SUCH CASES, THE TOTAL CONTRACT TERM CANNOT EXCEED 36 MONTHS.</p> <p>23. CONTRACT CANCELLATION.</p> <p>THE STATE OF LOUISIANA HAS THE RIGHT TO CANCEL ANY CONTRACT, IN ACCORDANCE WITH PURCHASING RULES AND REGULATIONS, FOR CAUSE, INCLUDING BUT NOT LIMITED TO, THE FOLLOWING: (1) FAILURE TO DELIVER WITHIN THE TIME SPECIFIED IN THE CONTRACT; (2) FAILURE OF THE PRODUCT OR SERVICE TO MEET SPECIFICATIONS, CONFORM TO SAMPLE QUALITY OR TO BE DELIVERED IN GOOD CONDITION; (3) MISREPRESENTATION BY THE CONTRACTOR; (4) FRAUD, COLLUSION, CONSPIRACY OR OTHER UNLAWFUL MEANS OF OBTAINING ANY CONTRACT WITH THE STATE; (5) CONFLICT OF CONTRACT PROVISIONS WITH CONSTITUTIONAL OR STATUTORY PROVISIONS OF STATE OR FEDERAL LAW; (6) ANY OTHER BREACH OF CONTRACT.</p> <p>24. DEFAULT OF CONTRACTOR.</p> <p>FAILURE TO DELIVER WITHIN THE TIME SPECIFIED IN THE BID WILL CONSTITUTE A DEFAULT AND MAY CAUSE CANCELLATION OF THE CONTRACT. WHERE THE STATE HAS DETERMINED THE CONTRACTOR TO BE IN DEFAULT, THE STATE RESERVES THE RIGHT TO PURCHASE ANY OR ALL PRODUCTS OR SERVICES COVERED BY THE CONTRACT ON THE OPEN MARKET AND TO CHARGE THE CONTRACTOR WITH COST IN EXCESS OF THE CONTRACT PRICE. UNTIL SUCH ASSESSED CHARGES HAVE BEEN PAID, NO SUBSEQUENT BID FROM THE DEFAULTING CONTRACTOR WILL BE CONSIDERED.</p> <p>25. ORDER OF PRIORITY.</p> <p>IN THE EVENT THERE IS A CONFLICT BETWEEN THE INSTRUCTIONS TO BIDDERS OR STANDARD CONDITIONS AND THE SPECIAL CONDITIONS, THE SPECIAL CONDITIONS SHALL GOVERN.</p> <p>26. APPLICABLE LAW.</p> <p>ALL CONTRACTS SHALL BE CONSTRUED IN ACCORDANCE WITH AND GOVERNED BY THE LAWS OF THE STATE OF LOUISIANA.</p> <p>27. COMPLIANCE WITH CIVIL RIGHTS LAWS.</p> <p>BY SUBMITTING AND SIGNING THIS BID, BIDDER AGREES TO ABIDE BY THE REQUIREMENTS OF THE FOLLOWING AS APPLICABLE: TITLE VI AND VII OF THE CIVIL RIGHTS ACT OF 1964, AS AMENDED BY THE EQUAL OPPORTUNITY ACT OF 1972, FEDERAL EXECUTIVE ORDER 11246, FEDERAL REHABILITATION ACT OF 1973, AS AMENDED, THE VETERAN'S READJUSTMENT ASSISTANCE ACT OF 1974, TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, THE AGE ACT OF 1975, AND BIDDER AGREES TO ABIDE BY THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT OF 1990. BIDDER AGREES NOT TO DISCRIMINATE IN ITS EMPLOYMENT PRACTICES, AND WILL RENDER SERVICES UNDER ANY CONTRACT ENTERED INTO AS A RESULT OF THIS SOLICITATION WITHOUT REGARD TO RACE, COLOR, RELIGION, SEXUAL ORIENTATION, NATIONAL ORIGIN, VETERAN STATUS, POLITICAL AFFILIATION, OR DISABILITIES. ANY ACT OF DISCRIMINATION COMMITTED BY BIDDER, OR FAILURE TO COMPLY WITH THESE STATUTORY OBLIGATIONS WHEN APPLICABLE, SHALL BE GROUNDS FOR TERMINATION OF ANY CONTRACT ENTERED INTO AS A RESULT OF THIS SOLICITATION.</p> <p>28. SPECIAL ACCOMMODATION.</p> <p>ANY "QUALIFIED INDIVIDUAL WITH A DISABILITY" AS DEFINED BY THE AMERICANS WITH DISABILITIES ACT WHO HAS SUBMITTED A BID AND DESIRES TO ATTEND THE BID OPENING, MUST NOTIFY THIS OFFICE IN WRITING NOT LATER THAN SEVEN DAYS PRIOR TO THE BID OPENING DATE OF THEIR NEED FOR SPECIAL ACCOMMODATIONS. IF THE REQUEST CANNOT BE REASONABLY PROVIDED, THE INDIVIDUAL WILL BE INFORMED PRIOR TO THE BID OPENING.</p> <p>29. INDEMNITY.</p> <p>CONTRACTOR AGREES, UPON RECEIPT OF WRITTEN NOTICE OF A CLAIM OR ACTION, TO DEFEND THE CLAIM OR ACTION, OR TAKE OTHER APPROPRIATE MEASURE, TO INDEMNIFY, AND HOLD HARMLESS, THE STATE, ITS OFFICERS, ITS AGENTS AND ITS EMPLOYEES FROM AND AGAINST ALL CLAIMS AND ACTIONS FOR BODILY INJURY, DEATH OR PROPERTY DAMAGES CAUSED BY THE FAULT OF THE CONTRACTOR, ITS OFFICERS, ITS AGENTS, OR ITS EMPLOYEES. CONTRACTOR IS OBLIGATED TO INDEMNIFY ONLY TO THE EXTENT OF THE FAULT OF THE CONTRACTOR, ITS OFFICERS, ITS AGENTS, OR ITS EMPLOYEES. HOWEVER, THE CONTRACTOR SHALL HAVE NO OBLIGATION AS SET FORTH ABOVE WITH RESPECT TO ANY CLAIM OR ACTION FROM BODILY INJURY, DEATH OR PROPERTY DAMAGES ARISING OUT OF THE FAULT OF THE STATE, ITS OFFICERS, ITS AGENTS OR ITS EMPLOYEES.</p> <p>30. SIGNATURE AUTHORITY.</p> <p>IN ACCORDANCE WITH L.R.S. 39:1594 (ACT 121), THE PERSON SIGNING THE BID MUST BE:</p> <ol style="list-style-type: none"> <li>1. A CURRENT CORPORATE OFFICER, PARTNERSHIP MEMBER OR OTHER INDIVIDUAL SPECIFICALLY AUTHORIZED TO SUBMIT A BID AS REFLECTED IN THE APPROPRIATE RECORDS ON FILE WITH THE SECRETARY OF STATE; OR</li> <li>2. AN INDIVIDUAL AUTHORIZED TO BIND THE VENDOR AS REFLECTED BY A CORPORATE RESOLUTION, CERTIFICATE OR AFFIDAVIT; OR</li> <li>3. OTHER DOCUMENTS INDICATING AUTHORITY WHICH ARE ACCEPTABLE TO THE PUBLIC ENTITY.</li> </ol> |  |                   |           |

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| <p>1 BID DELIVERY INSTRUCTIONS FOR STATE PURCHASING:</p> <p>BIDDERS ARE HEREBY ADVISED THAT THE U.S. POSTAL SERVICE DOES NOT MAKE DELIVERIES TO OUR PHYSICAL LOCATION.</p> <p>BIDS MAY BE MAILED THROUGH THE U.S. POSTAL SERVICE TO OUR BOX AT:<br/>OFFICE OF STATE PURCHASING<br/>P O BOX 94095<br/>BATON ROUGE LA 70804-9095</p> <p>BIDS MAY BE DELIVERED BY HAND OR COURIER SERVICE TO OUR PHYSICAL LOCATION AS FOLLOWS:</p> <p>OFFICE OF STATE PURCHASING<br/>CLAIBORNE BUILDING, SUITE 2-160<br/>1201 NORTH THIRD STREET<br/>BATON ROUGE, LA 70802</p> <p>BIDDER IS SOLELY RESPONSIBLE FOR ENSURING THAT ITS COURIER SERVICE PROVIDER MAKES INSIDE DELIVERIES TO OUR PHYSICAL LOCATION. THE OFFICE OF STATE PURCHASING IS NOT RESPONSIBLE FOR ANY DELAYS CAUSED BY THE BIDDER'S CHOSEN MEANS OF BID DELIVERY.</p> <p>BIDDER SHOULD BE AWARE OF SECURITY REQUIREMENTS FOR THE CLAIBORNE BUILDING AND ALLOW TIME TO BE PHOTOGRAPHED AND PRESENTED WITH A TEMPORARY IDENTIFICATION BADGE.</p> <p>BIDDER IS SOLELY RESPONSIBLE FOR THE TIMELY DELIVERY OF ITS BID. FAILURE TO MEET THE BID OPENING DATE &amp; TIME SHALL RESULT IN REJECTION OF THE BID.</p> <p>*****<br/>PUBLICIZING AWARDS. IN ACCORDANCE WITH L.A.C.34:I.535, UNSUCCESSFUL BIDDERS WILL BE NOTIFIED OF THE AWARD PROVIDED THAT THEY SUBMIT WITH THEIR BID A SELF-ADDRESSED STAMPED ENVELOPE REQUESTING THIS INFORMATION.<br/>*****</p> <p><b>**ATTENTION:**</b></p> <p>RECEIPT OF A SOLICITATION OR AWARD CANNOT BE RELIED UPON AS AN ASSURANCE OF RECEIVING FUTURE SOLICITATIONS. IN ORDER TO RECEIVE FUTURE SOLICITATIONS/AWARDS FROM THIS OFFICE, YOU MUST ENROLL IN THE PROPER CATEGORY ON LAPAC AT THE FOLLOWING WEB SITE:<br/><a href="http://www.wprd.doa.louisiana.gov/osp/lapac/pubmain.asp">HTTP://WWWPRD.DOA.LOUISIANA.GOV/OSP/LAPAC/PUBMAIN.ASP</a><br/>ENROLLMENT IN LAPAC IS FREE AND PROVIDES EMAIL NOTIFICATION OF BID OPPORTUNITIES BASED UPON COMMODITIES THAT YOU SELECT.</p> <p>2 TERMS AND CONDITIONS. THIS SOLICITATION CONTAINS ALL TERMS AND CONDITIONS WITH RESPECT TO THE COMMODITIES HEREIN. ANY VENDOR CONTRACTS, FORMS, TERMS OR OTHER MATERIALS SUBMITTED WITH BID MAY CAUSE BID TO BE REJECTED.</p> |  |                   |           |

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| <p>3 VENDOR'S FORMS. THE PURCHASE/RELEASE ORDER IS THE ONLY BINDING DOCUMENT TO BE ISSUED AGAINST THIS CONTRACT. SIGNING OF VENDOR'S FORMS IS NOT ALLOWED.</p> <p>4 INVOICES. INVOICES WILL BE SUBMITTED BY THE CONTRACTOR TO THE USING AGENCY AND THE INVOICE SHALL REFER TO THE DELIVERY TICKET NUMBER, DELIVERY DATE, PURCHASE/RELEASE ORDER NUMBER. QUANTITY, UNIT PRICE, AND DELIVERY POINT. A SEPARATE INVOICE FOR EACH ORDER DELIVERED AND ACCEPTED SHALL BE SUBMITTED BY THE CONTRACTOR IN DUPLICATE DIRECTLY TO THE ACCOUNTING DEPARTMENT OF THE USING AGENCY. INVOICES SHALL SHOW THE AMOUNT OF ANY CASH DISCOUNT AND SHALL BE SUBMITTED ON THE CONTRACTOR'S OWN INVOICE FORM.</p> <p>5 PAYMENT. PAYMENT WILL BE MADE ON THE BASIS OF UNIT PRICE AS LISTED IN THIS CONTRACT; SUCH PRICE AND PAYMENT WILL CONSTITUTE FULL COMPENSATION FOR FURNISHING AND DELIVERING THE CONTRACT COMMODITIES. IN NO CASE WILL THE STATE AGENCY REFUSE TO MAKE PARTIAL PAYMENTS TO THE CONTRACTOR ALTHOUGH ALL ITEMS HAVE NOT BEEN DELIVERED. THIS PAYMENT IN NO WAY RELIEVES THE CONTRACTOR OF HIS RESPONSIBILITY TO EFFECT SHIPMENT OF THE BALANCE OF THE ORDER. PAYMENT WILL BE TO VENDOR AND ADDRESS AS SHOWN ON ORDER.</p> <p>6 ACCEPTANCE. UNLESS OTHERWISE SPECIFIED, BIDS ON THIS CONTRACT WILL BE ASSUMED TO BE FIRM FOR ACCEPTANCE FOR A MINIMUM OF 60 DAYS. IF ACCEPTED, PRICES MUST BE FIRM FOR THE SPECIFIED CONTRACT PERIOD.</p> <p>7 CANCELLATION<br/>THE STATE OF LOUISIANA RESERVES THE RIGHT TO CANCEL THIS CONTRACT WITH THIRTY (30) DAYS WRITTEN NOTICE.</p> <p>8 CERTIFICATION OF NO SUSPENSION OR DEBARMENT. BY SIGNING AND SUBMITTING ANY BID FOR \$25,000 OR MORE, THE BIDDER CERTIFIES THAT THEIR COMPANY, ANY SUBCONTRACTORS, OR PRINCIPALS ARE NOT SUSPENDED OR DEBARRED BY THE GENERAL SERVICES ADMINISTRATION (GSA) IN ACCORDANCE WITH THE REQUIREMENTS IN OMB CIRCULAR A-133.</p> <p>A LIST OF PARTIES WHO HAVE BEEN SUSPENDED OR DEBARRED CAN BE VIEWED VIA THE INTERNET AT <a href="http://WWW.EPLS.GOV">WWW.EPLS.GOV</a></p> <p>9 LACARTE PROCUREMENT CARD - PROSPECTIVE VENDORS SHOULD BE AWARE THAT THE STATE HAS IMPLEMENTED A PURCHASING CARD PROGRAM, "LACARTE", WHICH USES A VISA CARD PLATFORM. VENDORS WILL BE ABLE TO RECEIVE PAYMENT FROM STATE AGENCIES USING THE CARD IN THE SAME MANNER AS OTHER VISA CARD PURCHASES.</p> <p>UNDER THE "LACARTE" PROGRAM PURCHASE ORDERS ARE NOT NECESSARY. ORDERS MUST BE PLACED AGAINST THE NET DISCOUNTED PRODUCTS OF THE CONTRACT. ALL CONTRACT TERMS AND CONDITIONS APPLY TO PURCHASES MADE WITH "LACARTE"; HOWEVER, A VENDOR SHALL NOT PROCESS A TRANSACTION FOR PAYMENT THROUGH THE CREDIT CARD CLEARINGHOUSE UNTIL THE PURCHASED PRODUCTS HAVE BEEN SHIPPED OR THE SERVICES PERFORMED.</p> |  |                   |           |

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| <p>IF A PURCHASE ORDER IS NOT USED, THE VENDOR MUST KEEP ON FILE A RECORD OF ALL "LACARTE" PURCHASES ISSUED AGAINST THIS CONTRACT DURING THE CONTRACT PERIOD. THE FILE MUST CONTAIN THE PARTICULAR ITEM NUMBER, QUANTITY, LINE TOTAL AND ORDER TOTAL. RECORDS OF THESE PURCHASES MUST BE PROVIDED TO THE OFFICE OF STATE PURCHASING ON REQUEST.</p> <p>"LACARTE" ACCEPTANCE IS NOT A MANDATORY REQUIREMENT OF THIS CONTRACT NOR WILL IT BE THE EXCLUSIVE METHOD OF PAYMENT BY AGENCIES.</p> <p>DO YOU AGREE TO ACCEPT "LACARTE" AS A PAYMENT OPTION, SHOULD YOU BE AWARDED THIS CONTRACT?</p> <p>_____ YES                      _____ NO</p> <p>10 LA ECAT - LOUISIANA'S ECAT PROVIDES AN INTERNET-BASED SHOPPING TOOL FOR PLACEMENT OF CONTRACT ORDERS. USERS OF THE CONTRACTS ARE ABLE TO SHOP VIA THE INTERNET, CREATE SHOPPING BASKETS, AND PLACE ORDERS ON-LINE. ORDERS ARE SENT ELECTRONICALLY TO THE VENDOR, WITH EMAIL NOTIFICATION THAT THE ORDER HAS BEEN ISSUED AND IS WAITING FOR THEM TO RETRIEVE IT. AFTER RECEIVING THIS NOTIFICATION, THE CONTRACT VENDOR HAS THE ABILITY TO LOG INTO LA ECAT AND RETRIEVE HIS PURCHASE ORDERS, THEREBY AVOIDING DELAYS ASSOCIATED WITH NORMAL MAIL. MORE INFORMATION IS AVAILABLE AT THE FOLLOWING WEBSITE:<br/><a href="http://DOA.LOUISIANA.GOV/OSP/ECAT/ECAT.HTM">HTTP://DOA.LOUISIANA.GOV/OSP/ECAT/ECAT.HTM</a>.</p> <p>IF YOU ARE CURRENTLY ENROLLED IN LA ECAT AND ARE AWARDED THIS CONTRACT, ANY ORDERS PLACED THROUGH LA ECAT WILL BE SENT TO YOU ELECTRONICALLY.</p> <p>IF YOU ARE NOT CURRENTLY ENROLLED IN LA ECAT, BUT WOULD LIKE TO ENROLL IN THE EVENT YOU ARE AWARDED THIS CONTRACT, SIMPLY PROVIDE THE INFORMATION BELOW.</p> <p>_____ YES, SIGN ME UP FOR FREE PARTICIPATION IN LA ECAT.</p> <p>COMPANY NAME: _____</p> <p>EMAIL ADDRESS: _____</p> <p>CONTACT PERSON: _____</p> <p>CONTACT PHONE: _____</p> <p>11 FEDERAL CLAUSES</p> <p>CIVIL RIGHTS<br/>BOTH PARTIES SHALL ABIDE BY THE REQUIREMENTS OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, AND SHALL NOT DISCRIMINATE AGAINST EMPLOYEES OR APPLICANTS DUE TO COLOR, RACE, RELIGION, SEX, HANDICAP OR NATIONAL ORIGIN. FURTHERMORE, BOTH PARTIES SHALL TAKE AFFIRMATIVE ACTION PURSUANT TO EXECUTIVE ORDER #11246 AND THE NATIONAL VOCATIONAL REHABILITATION ACT OF 1973 TO PROVIDE FOR POSITIVE POSTURE IN EMPLOYING AND UPGRADING PERSONS WITHOUT REGARD TO RACE, COLOR, RELIGION, SEX, HANDICAP OR NATIONAL ORIGIN, AND SHALL TAKE AFFIRMATIVE ACTION AS PROVIDED IN THE VIETNAM ERA VETERAN'S READJUSTMENT ACT OF 1974. BOTH PARTIES</p> |  |                   |           |



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OF LOUISIANA MAY CAUSE YOUR BID TO BE REJECTED. BY SIGNING BELOW, TERMS AND CONDITIONS WHICH MAY BE INCLUDED IN YOUR BID ARE NULLIFIED, AND CONTRACTOR AGREES THAT THIS CONTRACT SHALL BE CONSTRUED IN ACCORDANCE WITH AND GOVERNED BY THE LAWS OF THE STATE OF LOUISIANA.

BIDDER SIGNATURE

- 14 \*\*\*\*\*  
DUE TO FISCAL YEAR CONSTRAINTS, FUNDING MAY BE UNAVAILABLE FOR PAYMENT FOR ITEMS NOT DELIVERED BY JUNE 30. IF DELIVERY CANNOT BE MADE IN ACCORDANCE WITH THE ORDER, VENDOR MUST ADVISE THE AGENCY OF INABILITY TO SUPPLY.  
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- 15 THE STATE RESERVES THE RIGHT TO REJECT BIDS THAT CANNOT MAKE DELIVERY BY JUNE 30.
- 16 THE ABOVE QUANTITIES ARE ESTIMATED TO BE THE AMOUNT NEEDED. IN THE EVENT A GREATER OR LESSER QUANTITY IS NEEDED, THE RIGHT IS RESERVED BY THE STATE OF LOUISIANA TO INCREASE OR DECREASE THE AMOUNT, AT THE UNIT PRICE STATED IN THE BID.
- 17 AT THE OPTION OF THE STATE OF LOUISIANA AND ACCEPTANCE BY THE CONTRACTOR, THIS CONTRACT MAY BE EXTENDED FOR TWO ADDITIONAL TWELVE (12) MONTH PERIODS AT THE SAME PRICE, TERMS AND CONDITIONS. TOTAL CONTRACT TIME MAY NOT EXCEED THIRTY-SIX (36) MONTHS.
- 18 \*\*\*\*\*  
THIS CONTRACT SHALL BE EFFECTIVE FOR THE PERIOD BEGINNING DATE OF AWARD AND ENDING 6/30/2010.  
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| SPECIFICATIONS   |  | INVITATION TO BID |           |
| NUMBER : 2240088<br>OPEN DATE: 06/08/10      TIME: 10:00 AM<br>T-NUMBER :  |  | BIDDER:           | PAGE<br>9 |
| <p>19 THE SUCCESSFUL VENDOR WILL PROVIDE QUANTITATIVE TESTING OF MARINE BIOTA SPECIMENS FOR HYDROCARBON CONTAMINATION AS PART OF THE SEAFOOD SAFETY RESPONSE PLAN MISSISSIPPI CANYON 252 OIL SPILL. THIS PLAN IS INCORPORATED BY REFERENCE AND WILL BE AVAILABLE FOR REVIEW. REQUIRED TESTING WILL INCLUDE QUANTITATIVE TESTING FOR POLYCYCLIC AROMATIC HYDROCARBONS (PAHS), SATURATED LONG CHAIN HYDROCARBONS (ALIPHATIC COMPOUNDS) AND THE TESTING OF WATER FOR TOTAL PETROLEUM HYDROCARBONS (TPH). AT THE PRESENT TIME THE TESTING METHODS LISTED ARE A SPECIFIC METHOD OR EQUIVALENT. IT IS POSSIBLE THAT IN THE FUTURE A SPECIFIC METHOD MAY BE MANDATED. THE SUCCESSFUL BIDDER WILL PROVIDE A TESTING SYSTEM MEETING THE FOLLOWING SPECIFIC REQUIREMENTS.</p> <p>QUALITY CONTROL AND QUALITY ASSURANCE:<br/>         THE SUCCESSFUL VENDOR WILL PROVIDE LABORATORY ANALYSIS OF WATER AND SEAFOOD FOR CHEMICAL CONTAMINANTS ACCORDING TO APPLICABLE STATE AND FEDERAL QUALITY ASSURANCE PROCEDURES TO ENSURE THE ACCURACY, PRECISION, AND RELIABILITY OF THE DATA GENERATED. THE LABORATORY MUST PROVIDE THEIR QUALITY ASSURANCE PLAN TO DHH PRIOR TO PERFORMING THE ANALYSIS. AS AN EXAMPLE NOAA TECHNICAL MEMORANDUM NMFS-NWFSC-77, QUALITY ASSURANCE PLAN FOR ANALYSES OF ENVIRONMENTAL SAMPLES FOR POLYCYCLIC AROMATIC COMPOUNDS, PERSISTENT ORGANIC POLLUTANTS, FATTY ACIDS, STABLE ISOTOPE RATIOS, LIPID CLASSES, AND METABOLITES OF POLYCYCLIC AROMATIC COMPOUNDS U.S. DEPARTMENT OF COMMERCE, NATIONAL OCEANIC &amp; ATMOSPHERIC ADMINISTRATION, NATIONAL MARINE FISHERIES SERVICE OR EQUIVALENT IN HOUSE QUALITY ASSESSMENT PLAN.</p> <p>IT IS IMPORTANT THE SUFFICIENT QA DATA BE MAINTAINED TO PROVE THE VALIDITY OF THE DATA PROVIDED. THIS SHOULD INCLUDE BUT NOT BE LIMIT TO:, ACTUAL ANALYTICAL RESULTS INDICATING THE PRESENCE OR ABSENCE OF DETECTION (YES / NO), QUANTIFICATION WHERE APPLICABLE WITH REPORTING UNITS, QA / QC RESULTS (I.E., BLANK RESULTS, SPIKED SAMPLES RESULTS, SAMPLE RESULTS, EQUIPMENT CALIBRATION RESULTS, INTERNAL QA / QC CHECK RESULTS, ETC.), A DETAILED DESCRIPTION OF RECORD KEEPING AND DOCUMENTATION PROCEDURES FOR MAINTAINING LABORATORY LOG BOOKS AND REPORTING FORMS, SIGNIFICANT FIGURES, UNITS OF REPORTING, ROUTINE PROCEDURES TO ASSESS THE ACCURACY AND COMPLETENESS OF RECORDS, AND A DETAILED DESCRIPTION OF THE DATABASE VARIABLES AND LAYOUT FOR TRANSPARENT OVERSIGHT. DOCUMENTATION SHOULD ALSO INCLUDE STAFF TRAINING AND COMPETENCY ASSESSMENT.</p> <p>RESULTS REPORTING:<br/>         LABORATORY RESULTS SHOULD BE REPORTED WITH ANY INFORMATION NECESSARY TO ENSURE THE VALIDITY. SUPPORTING DOCUMENTATION MUST INCLUDE, WHEN AVAILABLE, ANALYTE NAME, WATERBODY NAME, SAMPLING LOCATION (MONITORING STATION IDENTIFICATION OR LATITUDE / LONGITUDE COORDINATES), SAMPLING DATE, SAMPLE COLLECTION PROCEDURES, SAMPLE PRESERVATION AND PROCESSING PROCEDURES, ANALYTICAL METHODS USED FOR QUANTITATION OF TARGET CONTAMINANTS, METHOD DETECTION AND QUANTITATION LIMITS, PERCENT LIPID COMPOSITION, SPECIES NAME, COMPOSITE SAMPLE IDENTIFICATION (ID) NUMBER, SAMPLE SIZE FOR EACH COMPOSITE SAMPLE, FISH LENGTH (AVERAGE INDIVIDUAL LENGTHS FOR EACH FISH IN A COMPOSITE), ESTIMATED AGE, SAMPLE WEIGHT, AND TISSUE CUT TYPE ANALYZED.</p> <p>THE REPORTING LIMITS (RL) IN TISSUE MUST BE WITHIN THE ANALYTICAL CAPABILITIES OF THE ANALYTICAL METHOD AND LABORATORY TECHNIQUES</p> |  |                   |           |

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EMPLOYED AND BELOW LEVELS THAT REPRESENT HEALTH CONCERNS. (SCREENING LEVEL). LABORATORY MUST COMPLY WITH EPA GUIDANCE RECOMMENDATION THAT THE REPORTING LIMIT (RL) FOR TISSUE ANALYSIS BE AT LEAST FIVE TIMES LOWER THAN THE SCREENING LEVEL FOR A GIVEN TARGET ANALYTE.

| TARGET ANALYTE                     | ANALYTICAL METHOD  | SCREENING LEVEL   |                 |
|------------------------------------|--|-------------------|-----------------|
|                                    |  | TISSUE<br>(MG/KG) | WATER<br>(UG/L) |
| PAHS                               | SW846 METHOD 8270 OR   |                   |                 |
| CHRYSENE                           | METHOD 8310 OR   | 75                | 9.1             |
| BENZ (A) ANTHRACENE                | EQUIVALENT METHODS   | 7.5               | 0.09            |
| BENZO (B) FLUORANTHENE             | APPROVED BY FDA,   | 0.75              | 0.09            |
| BENZO (K) FLUORANTHENE             | NOAA OR EPA  | 7.5               | 0.9             |
| DIBENZO (A, H) ANTHRACENE          |  | 0.075             | 0.2             |
| INDENO (1, 2, 3, -CD) PYRENE       |  | 0.75              | 0.09            |
| NAPHTHALENE                        |  | 47                | 6.2             |
| BENZO (A) PYRENE                   |  | 0.075             | 0.2             |
| ANTHRACENE                         |  | 700               | 1800            |
| FLUORANTHENE                       |  | 93                | 1500            |
| FLUORENE                           |  | 93                | 240             |
| PYRENE                             |  | 70                | 180             |
| PETROLEUM ALIPHATICS<br>C12 TO C36 | EPA, NOAA OR FDA<br>APPROVED METHOD FOR<br>TISSUES AND/SURFACE<br>WATERS | 233               | 1400            |

OPH STAFF CONSULTATION:  
SUCCESSFUL VENDOR WILL PROVIDE THE LOUISIANA DEPARTMENT OF HEALTH AND HOSPITALS STAFF WITH CONSULTATION REGARDING SPECIMEN RECEIPT, PROCESSING, ANALYSIS, AND RESULTS INTERPRETATION AS NECESSARY.

RESULTS DELIVERY:  
WITHIN 7 (SEVEN) DAYS OF OR LESS, AFTER RECEIPT OF SAMPLE, ANALYTICAL RESULTS SHOULD BE SENT VIA EMAIL TO AGENCY CONTACTS THAT WILL BE PROVIDED TO THE AWARDING VENDOR.

VENDOR IS RESPONSIBLE FOR ALL SUPPLIES, HANDLING AND SHIPPING (APPROPRIATE TO ENSURE THE INTEGRITY OF THE SAMPLE) ASSOCIATED WITH TESTING PROCESS. INCLUDING, BUT NOT LIMITED TO; COLLECTION CONTAINERS, SHIPPING CONTAINERS, DRY ICE, AND CHAIN OF CUSTODY PAPERWORK.

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NOTE  
ANY QUESTIONS CONCERNING SPECIFICATIONS, PLEASE CONTACT IMMEDIATELY.

BUYER INFORMATION:

JANA BRAUD

PHONE (225) 342-8036

FAX (225) 342-8688

EMAIL JANA.BRAUD@LA.GOV

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| PRICE SHEET  |  | INVITATION TO BID |      |            |                |
|--|--|-------------------|------|------------|----------------|
| NUMBER : 2240088<br>OPEN DATE : 06/08/10      TIME: 10:00 AM<br>T-NUMBER : |  | BIDDER:           |      |            | PAGE<br>11     |
| LINE NO.   | COMMODITY/SERVICE DESCRIPTION  | QUANTITY FROM/TO  | UNIT | UNIT PRICE | EXTENDED TOTAL |
|  | _____<br>_____<br>UNLESS SPECIFIED ELSEWHERE SHIP TO:<br>DHH-OFFICE OF PUBLIC HEALTH<br>MOLLUSCAN SHELLFISH PROGRAM<br>BIENVILLE BLDG, RM 146<br>628 N. 4TH STREET<br>BATON ROUGE , LA 70802   |                   |      |            |                |
| 00001  | COMMODITY CODE: 115-05-000000<br><br>EMERGENCY TESTING OF MARINE BIOTA FOR POLYCYCLIC AROMATIC USING NOAA METHOD NMFS-NWFSC-59 TECHNICAL MEMORANDUM: EXTRACTION,CLEANUP & GAS CHROMATOGRAPHY/ MASS SPECTROMETRY ANALYSIS OF SEDIMENTS AND TISSUE FOR ORGANIC CONTAMINATES OR EQUIVALENT, PER ATTACHED SPECIFICATIONS.<br><br>PERIOD COVERING: FROM DATE OF AWARD THRU 06/30/10.<br><br>SPECIFY BRAND (& NUMBER IF APPLICABLE)<br>_____ | 300               | TEST | _____      | _____          |
| 00002  | COMMODITY CODE: 115-05-000000<br><br>EMERGENCY TESTING OF MARINE BIOTA FOR PETROLEUM ALIPHATIC COMPOUNDS (C12 TO C36) USING AN EPA, NOAA OR FDA APPROVED METHOD FOR SCREENING TISSUES, PER THE ATTACHED SPECIFICATIONS.<br><br>PERIOD COVERING: FROM DATE OF AWARD THRU 06/30/10.<br><br>SPECIFY BRAND (& NUMBER IF APPLICABLE)<br>_____   | 300               | TEST | _____      | _____          |
| 00003  | COMMODITY CODE: 115-05-000000  | 300               | TEST | _____      | _____          |

|  |   |                     |      |            |                |
|--|---|---------------------|------|------------|----------------|
| PRICE SHEET  |   | INVITATION TO BID   |      |            |                |
| NUMBER : 2240088<br>OPEN DATE : 06/08/10      TIME: 10:00 AM<br>T-NUMBER : |   | BIDDER:             |      |            | PAGE<br>12     |
| LINE<br>NO.  | COMMODITY/SERVICE DESCRIPTION   | QUANTITY<br>FROM/TO | UNIT | UNIT PRICE | EXTENDED TOTAL |
|  | <p>EMERGENCY TESTING OF MARINE WATER FOR<br/>TOTAL PETROLEUM HYDROCARBONS<br/>(GRAVIMETRIC) USING AN EPA, NOAA OR FDA<br/>APPROVED METHOD FOR SCREENING SURFACE<br/>WATERS, PER THE ATTACHED SPECIFICATIONS.</p> <p>PERIOD COVERING: FROM DATE OF AWARD<br/>THRU 06/30/10.</p> <p>SPECIFY BRAND (&amp; NUMBER IF<br/>APPLICABLE)</p> <p>_____</p> |                     |      |            |                |